

**FILED**

**FEB 16 2006**

**CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS**

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

FELIX VALENZUELA HERRERA,

Defendant - Appellant.

No. 05-50440

D.C. No. CR-04-01125-DT-02

MEMORANDUM<sup>\*</sup>

Appeal from the United States District Court  
for the Central District of California  
Dickran M. Tevrizian, District Judge, Presiding

Submitted February 13, 2006<sup>\*\*</sup>

Before: FERNANDEZ, RYMER, and BYBEE, Circuit Judges.

Felix Valenzuela Herrera appeals from his guilty-plea conviction and 24-month sentence for conspiracy to possess, and possession with intent to distribute heroin, in violation of 21 U.S.C. §§ 846 and 841(a)(1), (b)(1)(B).

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<sup>\*</sup> This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), counsel for Valenzuela Herrera has filed a brief stating there are no grounds for relief, and a motion to withdraw as counsel of record. Valenzuela Herrera did not file a pro se supplemental brief.

Our independent review of the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 83-84 (1988), discloses no grounds for relief. We therefore **GRANT** counsel's motion to withdraw and **AFFIRM** the district court's judgment.

**AFFIRMED.**